

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

U.S. BEVERAGE, INC.,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:06-cv-496-MEF
)	
JOHN BUSTER WALKER, II, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

On June 1, 2006, U.S. Beverage, Inc. (“U.S. Beverage”) filed suit against John Buster Walker, II (“Walker”), Trident Marketing, Inc. (“Trident”), and several fictitious defendants. U.S. Beverage sought damages, declaratory relief, preliminary injunctive relief, and permanent injunctive relief. On June 26, 2006, Walker and Trident filed their Answer and Counterclaim. The Counterclaim seeks damages, declaratory relief, preliminary injunctive relief, and permanent injunctive relief. Additionally, the Counterclaim filed by Walker and Trident includes a motion for a temporary restraining order (Doc. # 5).

Upon consideration of the motion for temporary restraining order and the legal prerequisites to the relief requested, it is hereby ORDERED that the motion for temporary restraining order (Doc. # 5) is DENIED. It is further ORDERED that counsel for all parties be present in the chambers of the undersigned (Room A300, United States Courthouse, One

¹ The Counterclaim adds three defendants: Grady Dowling Kittrell, Thomas Going Clark, III, and Norman “Buddy” Todd.

Church Street, Montgomery, Alabama) on **June 28, 2006 at 9:00 a.m.**

DONE this 26th day of June, 2006.

/s/ Mark E. Fuller

CHIEF UNITED STATES DISTRICT JUDGE